

II. REMARKS

Claims 1-8 are pending in this application. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1 and 6-8 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Zoltan (US patent no 6,529,917), hereafter “Zoltan.” Claims 2-5 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Zoltan. Applicants respectfully traverse these rejections.

A declaration under 37 C.F.R. 1.131 removing Zoltan as a reference under 35 U.S.C. §102(e) and 35 U.S.C. §103(a) is attached to this Amendment. As evidenced in the 37 C.F.R. 1.131 declaration and supporting documentation, Applicants conceived of the invention set forth in the present application prior to August 14, 2000, the effective filing date of the Zoltan reference, and constructively reduced the invention to practice with due diligence upon filing of the patent application to which the present patent application claims priority on October 25, 2000. Specifically, the Functional Specification that is attached to the 1.131 declaration as Exhibit “A” describes a system having a table of keys for synchronizing related data elements between a first and second storage system as claimed in the present invention. In addition, the Disclosure of Invention that is attached to the 1.131 declaration as Exhibit “B” further describes the claimed invention. For the above stated reasons, the above-referenced 35 U.S.C. §102(e)

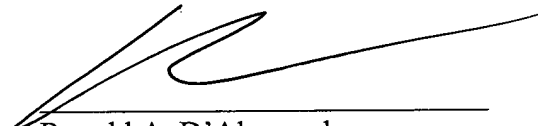
rejection of claims 1 and 6-8 and the 35 U.S.C. §103(a) rejection of claims 2-5 based on the reference of Zoltan is improper and should be withdrawn. Accordingly, Applicants submit that claims 1-8 are allowable.

III. CONCLUSION

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

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